

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Yoshihiro Kimura et al.

Application No.: 10/779,749

Confirmation No.: 2045

Filed: February 18, 2004

Art Unit: 2881

For: **METHOD OF DETERMINING THE CONCAVITY AND CONVEXITY ON SAMPLE SURFACE, AND CHARGED PARTICLE BEAM APPARATUS**

REQUEST FOR RECONSIDERATION

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

INTRODUCTORY COMMENTS

In response to the Office Action dated December 18, 2008, finally rejecting claims 1-11, please reconsider the above-identified U.S. patent application in light of the following:

A Listing of the Claims begins on page 2 of this paper.

Remarks begin on page 6 of this paper.